

Remarks

Applicant appreciates the Examiner's review and confirmation of the appropriateness of the earlier presented draft of this document. In this discussion set forth below, Applicant does not acquiesce to any rejection or averment in this Office Action as Applicant preserves its rights to further traverse and pursue (unamended) versions of the claims in a continuation-type application.

The Office Action dated February 20, 2009, indicated an allowance of claims 26-37 and 40; and an objection to (potential allowance of) claims 2, 4-5, 12-14, 38-39 and 42 which may be overcome if said claims are rewritten in independent form. The Office Action dated February 20, 2009, also indicated that claims 1, 3, 6-11, 15-25 and 41 stand rejected under 35 U.S.C. § 103(a) over Kovacs (US 2002/0131899) in view of Wu (US 6,617,565).

Applicant appreciates the indications of allowance and allowability as identified in the present action.

By way of the above amendments, Applicant has rewritten claim 2, 4, 12 and 42 in independent form to incorporate the underlying limitations from the independent claims 1, 10 and 41 which are now cancelled. In light of the cancelled independent claims, Applicant has amended and added dependent claims to depend from the allowable rewritten independent claims with proper antecedent basis; wherein new dependent claims 43-49 which expressly track with previous dependent claims per the following pairings:

claims 3 and 43, claims 5 and 44, claims 6 and 45,
claims 7 and 46, claims 7 and 47, and claims 38 and 48.

Applicant has also attached a previously-presented Form 1449 modified to highlight the portion which appears not to have been initialed by the Patent Examiner to show clearly that the references have been considered.

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In view of the remarks above, Applicant believes that the rejections have been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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By: 

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